

REMARKS

The Examiner objected to claim 1 because of a typographical error. Claim 1 has been amended to cure the defect.

Claims 15-20 were rejected under 35 U.S.C. 112, second paragraph, because of an antecedent basis problem in Claim 15. Claim 15 has been amended to cure antecedent basis defect in question.

Claims 1-4, 6, 8-11, 13, and 15-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller, III et al. (US 7134081 B2) in view of Gerber et al. (US 20050091269 A1). Applicant traverses the rejection.

The Examiner states that Fuller teaches all the limitations of claim 1 except for requiring that a best estimation of the client program grammar communication is automatically determined or automatically obtained. The Examiner looks to Gerber for the missing teachings. The Examiner maintains that it would have been obvious to modify Fuller with “Satoh” “because Satoh's teaching would have provided a more consistent mechanism for developing instrument drivers and instrumentation control software”. Applicant assumes the Examiner intended to cite the teachings of Gerber, not “Satoh”, as providing the “more consistent mechanism” in question, and will respond on that basis. Applicant disagrees with the Examiner’s reading of Gerber as providing the missing teachings.

The limitation which the Examiner admits is missing from Fuller is the requirement that when metadata is associated with the API call, a best estimation of the client program grammar communication is automatically determined from the associated metadata and from the API call; and when there is no metadata associated with the API call, a best estimation of the client program grammar communication is automatically obtained from the API call.

Paragraph [0445], the passage in Gerber to which the Examiner points, teaches a module 2260 that provides a best guess or estimate about a user’s current context information based on information in profile store 3262, which stores user preference parameters, and can be edited and modified by the user, and on context information sources 2280, such as a

whiteboard, mouse information, ambient sound, or real-time mobile device usage. In other words, Gerber teaches that a best estimation of the broad context of what the user is currently doing and where the user is located may be made. The preference parameters specify how a user is to be notified of an event of interest. The grammar used in this module is fixed.

First, teaching the estimation of the user context does not amount to teaching the estimation of the **client program grammar communication**, as the claim requires. The information merely determines where and when a user is to be notified.

Second, there is no teaching in the cited paragraph that the estimation is obtained **from the API call** as the claim requires. Third, there is no teaching in the cited paragraph that the estimation occurs automatically, as the claim requires.

Fourth, there is no mention in the cited paragraph of any metadata (meaning data about data) let alone of metadata associated with an API call, which determines how the best estimation may be made. Claim 1 requires that determination to be based on whether or not metadata is associated with the API call. In this regard, it should be noted that Fuller is also silent regarding metadata associated with any API call. Hence, Applicant submits that the Examiner has failed to make a *prima facie* case for obviousness with respect to claim 1 and the claims dependent therefrom.

Claim 2 depends from claim 1 and further requires that the API call is a .NET API call, The Examiner points to col. 24, lines 53-60 of Fuller as providing this teaching. The cited passage concerns two National Instruments software packages that include tools for monitoring API calls. Applicant submits that the Examiner has not pointed to any teaching that any API call monitored is a .NET API call. Hence, there are additional grounds for allowing claim 2.

Claim 4 depends from claim 1 through claim 3, and further requires evaluating the obtained best estimation of the SCPI communication for conformance of the best estimation of the SCPI communication to SCPI specifications. The Examiner points to several passages (col. 4, lines 49-65; col. 7, line 47 – col. 9, lines 67; col. 13, line 65 – col. 14, line 62; and col. 20, lines 17-36) as providing this teaching. Applicant submits that at most, the cited passages

teach that the syntax completion and suggestions provided to the user may be prepared in accordance with the SCPI standard. The Examiner has not pointed to any teaching regarding the **evaluation** of any communication for **conformance** to SCPI specifications, as the claim requires. Hence, Applicant submits that there are additional grounds for allowing claim 4 and the claims dependent therefrom.

Claim 6 depends from claim 1 through claim 3, and further requires evaluating the obtained best estimation of the SCPI communication for conformance of the best estimation of the SCPI communication to General-Purpose Interface Bus specifications. The Examiner points to several passages (col. 4, lines 49-65; col. 7, line 47 – col. 9, lines 67; col. 13, line 65 – col. 14, line 62; and col. 20, lines 17-36) as providing this teaching. Applicant finds no teaching in the cited passages concerning the **evaluation** of any communication for **conformance** to GPIB specifications. Hence, Applicant submits that there are additional grounds for allowing claim 6 and the claims dependent therefrom.

As to claims 8-11, and 13, which the Examiner states are computer readable memory device claims corresponding to the method claims 1-4, and 6, Applicant submits that, as discussed above with respect to claim 1, the combination of Fuller and Gerber fail to teach the requirement that when metadata is associated with the API call, a best estimation of the client program grammar communication is automatically determined from the associated metadata and from the API call; and when there is no metadata associated with the API call, a best estimation of the client program grammar communication is automatically obtained from the API call. Hence, Applicant submits that the Examiner has failed to make a *prima facie* case for obviousness with respect to claims 8-11, and 13. Moreover, discussed above with respect to claims 2, 4, and 6, Applicant submits that there are additional grounds for allowing dependent claims 9, 11, and 13.

As to claims 15-19, which the Examiner states are system claims corresponding to method claims 1-4 and 6, Applicant submits that, as discussed above with respect to claim 1 the combination of Fuller and Gerber fails to teach the requirement that when metadata is associated with the API call, a best estimation of the client program grammar communication is automatically determined from the associated metadata and from the API call; and when there is no metadata associated with the API call, a best estimation of the client program

grammar communication is automatically obtained from the API call. Hence, Applicant submits that the Examiner has failed to make a *prima facie* case for obviousness with respect to claim 15 and the claims dependent therefrom. Moreover, as discussed above with respect to claims 2, 4, and 6, Applicant submits that there are additional grounds for allowing dependent claims 16, 18, and 19.

The Examiner stated that claims 5, 7, 12, and would be allowable if rewritten in independent form. The claims have been rewritten accordingly.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Calvin B. Ward". The signature is fluid and cursive, with the first name "Calvin" being more prominent.

Calvin B. Ward
Registration No. 30,896
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Agilent Technologies, Inc.
Legal Department, M/S DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599
Telephone (925) 855-0413
Telefax (925) 855-9214